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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,081	12/30/2005	Henrik Balle	891.012171-US (PAR)	7461
2512	7590	04/03/2007	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			TORRES, MARCOS L	
			ART UNIT	PAPER NUMBER
			2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,081	<b>Applicant(s)</b> BALLE ET AL.	
	<b>Examiner</b> Marcos L. Torres	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 38-80 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 38-80 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4-1-05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) filed on 4-1-05 is being considered by the examiner.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 66, 69-70 and 74 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 66 and 70 recites the limitation "second input" in line two and four respectively. However there is no first input in those claims. Claim 65 recite the limitation of first input, however claim 66 depend on 62 not 65. There is insufficient antecedent basis for this limitation in the claim.

6. Claim 69, 70 and 74 recites the limitation "control content". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 38-40, 44-46 and 49-52 are rejected under 35 U.S.C. 102(e) as being anticipated by Ali US 20030197679A1.

As to claim 38, Ali discloses a mobile device (see fig. 5; par. 0053) for displaying information content (see fig. 8b, item 811,813,815,817; par. 0067), comprising: at least one input key associated with a display (see fig. 8a, item 870; par. 0069); a display for displaying information content with a first orientation and control content, adjacent an input key, indicating its function (see fig. 8a, 8b, item 740, 820); and a processor, for controlling the display (see par. 0060), arranged to vary the first orientation of the information content to a second orientation and maintain control content adjacent the input key, wherein the location of the input key does not vary when the orientation of the information content is varied (see fig. 8b and 8c, par. 0066-0070).

As to claim 39, Ali discloses a mobile device further comprising a user input device, Wherein the processor is operable to vary the user-determined orientation of the information content and maintain control content adjacent the input key, in response to input from the user input device (see fig. 8b and 8c, par. 0060-0061, 0066-0070).

As to claim 40, Ali discloses a mobile device wherein the functionality of the user input device is controlled by the processor (see par. 0060).

As to claim 44, Ali discloses a mobile device wherein the control content for the input key varies as the function of the input key is varied by the processor (see par. 0068,0060).

As to claim 45, Ali discloses a mobile device wherein the processor, when varying the orientation of the information content maintains the same control content adjacent the input key (see fig. 8b, 8c).

As to claim 46, Ali discloses a mobile device wherein the control content has a fixed orientation with respect to the mobile device (see fig. 8b, 8c).

As to claim 49, Ali discloses a mobile device wherein the first origin and the second origin are fixed (see fig. 8b, 8c).

As to claim 50-52, they are the corresponding method claims of device claims 38-39. Therefore, claims 50-52 are rejected for the same reasons as shown above.

9. Claim 77-78 are rejected under 35 U.S.C. 102(e) as being anticipated by Asai US 20030011468A1.

As to claim 78, Asai method of controlling a display of a mobile device comprising the steps of: displaying information content, including characters, over a plurality of lines; and alphanumeric changing, in response to input from a user, the number of alphanumeric characters in a line of the displayed information content, while displaying the whole of the information content (see fig. 8 and 9; par. 0067).

Regarding claim 77 is the corresponding device claim of method claim 78. Therefore, claim 77 is rejected for the same reasons as shown above.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. Claims 41-43, 47-48 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ali in view of Sugaya US006239787B1.

As to claim 41, Ali discloses a mobile device wherein the processor is arranged to vary the user-determined orientation of the information content between two predetermined orientations (portrait or landscape, see fig. 8b, 8c; par. 0066). Ali does not specifically disclose four predetermined orientations. In an analogous art, Sugaya discloses to vary the user-determined orientation of the information content between four predetermined orientations (see fig. 12a-12d). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use more display orientations to give more viewing options to the user.

As to claim 42, Ali discloses a mobile device wherein the processor is arranged to vary the user determined orientation of the information content by successive increments of 90 degrees rotation about a first origin in the display (portrait or landscape, see fig. 8b, 8c; par. 0066). Sugaya discloses a mobile device wherein the processor is arranged to vary the user determined orientation of the information content by successive increments of 90 degrees rotation about a first origin in the display (see fig. 12a-12d).

As to claim 43, Ali discloses a mobile device wherein the processor is **operable** to vary the user-determined orientation of the information content while it is displayed (see par. 0060).

As to claim 47, Ali discloses a mobile device wherein the processor is **operable** to rotate the information content about a first origin and simultaneously rotate the control content about a second different origin, by ninety degrees (see fig. 8b, 8c).

As to claim 48, Ali discloses a mobile device wherein the processor is **operable** to simultaneously rotate the information content and the control content, in response to input from the user input device (see par. 0066).

As to claim 75, Ali discloses a mobile device wherein the control content is positioned at the second origin (see fig. 8b, 8c).

14. Claims 53-57, 61-65, 71-74 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski US007146179B2.

As to claim 53, Parulski discloses a mobile device for displaying information content (see fig. 9, items 120, 520a), comprising: a display (see fig. 9, item 56), having a variable display area (see fig. 9, items 120, 520), for displaying within the variable display area information content (see fig. 9, items 120, 520a); a user input device (see fig. 9, items 502, 506, 504, 512, 514, 516, 518); and processor, for controlling the display (see fig. 4, item 62), arranged to incrementally change the size of the display area while displaying the information content, in response to inputs from the user input device (see fig. 10a-10c; col. 8, lines 56–60). Parulski does not specifically disclose successive inputs. However, it obvious that the user can repeat the process until the desired area is shown.

As to claim 54, Parulski discloses a mobile device wherein the processor in response to input from the user input changes the display area size from a first one of a predetermined plurality of display area sizes to a second one of the predetermined plurality of display area sizes (see fig. 10a-10c; col. 7, line 65 – col. 8, line 8, 56 – col. 9, line15).



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As to claim 55, Parulski discloses a mobile device wherein the processor in response to input from the user input varies the display area while displaying the information content (see fig. 10a-10c; col. 8, lines 56–60).

As to claim 56, Parulski discloses a mobile device comprising a radio frequency transceiver, wherein the information content originates in another device and is received by the radio frequency transceiver from the another device (see col. 8, line 9-14).

As to claim 57, Parulski discloses a mobile device wherein the information content originates in the device (see col. 4, lines 62-67).

As to claim 76, Parulski discloses a mobile device wherein the processor is arranged to incrementally change the display area without varying the orientation of the information content (see fig. 10a-10c).

Regarding claim 61 is the corresponding method claim of device claim 53. Therefore, claim 61 is rejected for the same reasons as shown above.

As to claim 62, Parulski discloses a mobile device for displaying information content (see fig. 9, items 120, 520a), comprising: a display for displaying information content in a display area of a user-determined size (see fig. 9, 10a-10c; items 120, 520a) and orientation (see col. 8, lines 49-55); a user input device (see fig. 9, items 502, 506, 504, 512, 514, 516, 518); and a processor (see fig. 4, item 62), for controlling the display, operable to vary the user-determined orientation and to incrementally change the size of the display area while displaying the information content, in response to successive inputs from the user input device (see fig. 10a-10c; col. 8, lines 56–60).

As to claim 63, Parulski discloses a mobile device further comprising at least one input key associated with a display; wherein the display is operable to display control content, adjacent the input key, indicating its function (see fig. 9, items 512, 514, 516, 518) and wherein the control content remains adjacent the input key when the display area is resized (col. 8, lines 15–60).

As to claim 64, Parulski discloses a mobile device wherein the display information has a predetermined and fixed orientation (portrait or landscape) with respect to the display area so that a variation in the display area produces a concomitant variation in the orientation of the information content (col. 8, lines 56–60).

As to claim 65, Parulski discloses a mobile device as claimed in Claim 62, wherein the processor in response to first input from the user input device changes the display area size from a first one of a predetermined plurality of display area sizes to a second one of the predetermined plurality of display area sizes (see fig. 10a-10c; col. 7, line 65 – col. 8, line 8, 56 – col. 9, line 15).

Regarding claims 71-74, they are corresponding method claims of device claims 62-64 and 70. Therefore, claims 71-74 are rejected for the same reasons as shown above.

15. Claims 58-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski in view of Schon US 20040248621A1.

As to claim 58, Parulski discloses everything as explained above (see claim 53) except for the mobile device wherein the information content is alphanumeric text data. In an analogous art, Schon discloses a mobile device wherein the information content is

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alphanumeric text data (see par. 0053). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to integrate the commonly known short message system for the simple purpose permitting the user send and receives text message.

As to claim 59, Schon discloses a mobile device wherein the processor, provides a text message handling application in which the display area for the text message is variable in response to input from the user input device (see par. 0053).

16. Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski in view of Someya US006546231B1.

As to claim 60, Parulski discloses everything as explained above (see claim 61) except for a mobile device wherein the user input device is a rotatable dial. In an analogous art, Someya discloses a mobile device wherein the user input device is a rotatable dial (see fig. 1, item 9). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add a rotary key for quicker operation of the mobile device.

17. Claims 66-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski in view of Sugaya.

As to claim 66, Parulski discloses a mobile device wherein the processor in response to an input from the user input devices changes the orientation of the display area from a first one of a predetermined orientation to a second one of the predetermined orientation (col. 8, lines 49–55). Parulski only disclose portrait and landscape modes. In analogous art, Sugaya disclose plurality of orientations (see fig.

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12-a-12d). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use more display orientations to give more viewing options to the user.

As to claim 67, Sugaya discloses a mobile device wherein the processor is arranged to vary the user-determined orientation of the display area by successive increments of 90 degrees rotation about a first origin in the display (see fig. 12a-12d; col. 9, lines 37-57).

As to claim 68, Parulski discloses a mobile device as claimed in claim wherein the processor, arranged to vary the user-determined size and orientation of the display area while the information content is displayed therein (col. 8, lines 15-60).

As to claim 69, Parulski discloses a mobile device wherein the display has a plurality of edges and the control content is fixedly positioned at one edge of the display (see fig. 9, item 512).

As to claim 70, Parulski discloses a mobile device wherein the processor is arranged to rotate the display area about a first axis and simultaneously rotate the control content about a second axis, by ninety degrees in response to a input from the user input device (see col. 8, lines 33-55).

18. Claims 79 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asai in view of Register 5661632.

As to claim 80, Asai discloses a method of controlling the display of a mobile device comprising the steps of: displaying the information content, including alphanumeric characters, over a plurality of lines; changing the number of alphanumeric

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characters that are displayed in each of the lines, in response to input from a user (see fig. 8 and 9; par. 0067). Asai does not specifically disclose changing the orientation of the information content to a second orientation. In an analogous art, Register discloses changing the orientation of the information content to a second orientation (see col. 1, lines 39-49). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to permit rotate the display to facilitate viewing.

Regarding claim 79 is the corresponding device claim of method claim 80.

Therefore, claim 79 is rejected for the same reasons as shown above.

### ***Conclusion***

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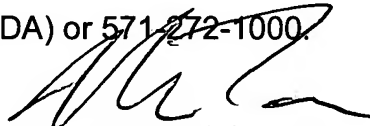
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Torres whose telephone number is 571-272-7926. The examiner can normally be reached on 8:00am-6:00 PM alt. Wednesday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Marcos L Torres  
Examiner  
Art Unit 2617

mlt